

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARIA ALVAREZ, an individual, on behalf of)
herself and all others similarly situated,)

Plaintiff,)

v.)

GERBER PRODUCTS COMPANY; NESTLE)
USA, INC.,)

Defendants.)

Case No.: 12-CV-00906-LHK
and Related Case No.: 12-CV-01964-
LHK

ORDER TERMINATING STAY
AND SETTING HEARING DATE
ON MOTIONS TO TRANSFER

The related cases *Alvarez v. Gerber Products Co.*, 12-CV-00906-LHK, and *Gray v. Gerber Products Co.*, 12-CV-01964-LHK, were previously stayed pending the Judicial Panel on Multi-District Litigation's ("Panel") ruling on a motion to transfer and coordinate these cases with several similar cases filed in other districts pursuant to 28 U.S.C. § 1407 ("Motion to Transfer"). *See* 12-CV-00906-LHK , ECF No. 22; 12-CV-01964-LHK , ECF No. 17. The Panel denied the Motion to Transfer on October 16, 2012. *See In re: Gerber Probiotic Products Marketing and Sales Practices Litig.*, MDL No. 2397, ECF. No. 21. Accordingly, it is hereby ORDERED that these cases are no longer stayed. It is also ORDERED that Defendants' pending Motions to Dismiss or, in the Alternative, Transfer these cases (*see* 12-CV-00906-LHK, ECF No. 14; 12-CV-01964-LHK, ECF No. 5) shall be heard on December 6, 2012 at 1:30 p.m.

IT IS SO ORDERED.

Dated: October 16, 2012



LUCY H. KOH
United States District Judge

United States District Court
For the Northern District of California